



HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

-  
27<sup>th</sup> Session  
-

NR0364E1  
(+ Annexes I to III)

O. Eng.

Brussels, 3 February 2003.

COMPREHENSIVE REVIEW OF THE EXPLANATORY NOTES

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTES

TO HEADINGS 90.11 TO 90.20

(Item C.10 on Agenda)

Reference documents :

NR0310E1 (RSC/26)

NR0332E2 – Annex E/19 (RSC/26 - Report)

I. BACKGROUND

1. At its 23<sup>rd</sup> Session (March 2001), the Review Sub-Committee discussed the issue of the comprehensive review of the HS Explanatory Notes, taking into account the points raised by the Secretariat in Doc. NR0150E1, in particular the scope of the updating of the existing Explanatory Notes, by :
  - deleting references to obsolete products and technology,
  - substituting references to current products and technology,
  - restructuring the Notes to make them easier to understand, and
  - supplementing the Notes to make them more complete.
2. In accordance with these discussions, amendments to the Explanatory Notes to headings 90.11 to 90.20 were prepared as a joint proposal by the Secretariat and an officer of the Australian Administration.
3. At its 26<sup>th</sup> Session, the Review Sub-Committee carried out a preliminary examination of the proposed amendments and agreed to continue the discussion at its next session.

Note : Shaded parts will be removed when documents are placed on the WCO documentation database available to the public.

File No. 2933

## II. SECRETARIAT COMMENTS

4. The present document is a revised version of Doc. NR0310E1 prepared by the Secretariat for the 26<sup>th</sup> Session of the Review Sub-Committee.
5. With a view to facilitating the discussion, the Secretariat has set up three annexes to the present document :
  - In Annex I the usual presentation of the proposed amendments and new texts is used (i.e., “delete and substitute” format).
  - In Annex II a presentation involving strikethrough and underlining is used : the proposed deletions are indicated by “strikethrough” text, whereas new texts are indicated by underlining. Texts that were merely renumbered or relettered have not been included.
  - In Annex III the comments on the suggested changes made by delegates at the Sub-Committees 26<sup>th</sup> Session are reproduced.
6. The **Australian** “Explanatory Memorandum” and the Secretariat’s own comments (in bold) are reproduced below.

### **Explanatory comments for each heading**

#### **Heading 90.11**

7. New item (4) was added under “Special purpose microscopes include:”. They are an example of specialised microscopes, which are classified in this heading by General Interpretative Rule (GIR) 1. The reference source was an **Australian** classification ruling.
8. Exclusion (d) was amended as refractometers are mentioned in the Explanatory Note to heading 90.27, at paragraph (4).

#### **Heading 90.13**

9. The third paragraph of item (2) was amended by the addition of laser pointers. This was based on Classification Opinion 9013.20/1.
10. The inclusion at item (3) of magnifiers fitted with an illuminating lamp was made to clarify that such devices are classified in this heading. They are identified as an illuminated magnifying glass as the lamp contributes to the use of the magnifying glass. They are an optical appliance and are classified in heading 90.13 by application of GIR 1. The reference source was an **Australian** classification ruling.
11. New item (7) was added based on the reference source, the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000 and the Explanatory Note to heading 90.18.

#### **Heading 90.14**

12. GPS receivers were added to the exclusion at (a) as they are radio navigational aid apparatus.

**Heading 90.15**

13. The amendments at (I), items (1) and (4) were made on the advice of industry. **The Secretariat has however been unable to find a suitable translation of the proposed term "total stations", since its scope is not entirely clear.**
14. GPS receivers have been added at (a) to "This heading does not cover :." for the same reasons given as for heading 90.14. Revolution counters were added at new (c) as they are mentioned in the terms of heading 90.29.
15. The amendments at (II), first paragraph, were made on the advice of industry, as were the amendments at items (2) and (4).
16. The additional items (3) to (5) under part (VI) were included as these articles are all geophysical instruments which are classified in this heading by application of GIR 1. The reference sources were **Australian** classification rulings.

**Heading 90.16**

17. The opening paragraph was amended to provide an expanded explanation of "balances". The reference source was the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000.

**Heading 90.17**

18. The new paragraph at the end of part (B) was added as such machines or tools would not fall into this heading as marking-out instruments. **The expression "with self-contained motor" has been added to reflect the terms of heading 84.67.**
19. The amendments to the first paragraph of part (D) were made as industry advised that there was some confusion as to whether measuring length also included other dimensions. The amendments should provide sufficient clarification.
20. The amendment at (1) was made on the advice of industry.
21. Item (3) was amended to provide brief examples of the types of gauges that are excluded.
22. Extensometers were added at new item (5) because these are an example of traded instruments that measure length and are classified in heading 90.17 by GIR 1. The reference source was an **Australian** classification ruling.
23. Present item (5) was amended for clarification purposes.
24. **In this connection ,the Secretariat would draw the Sub-Committee's attention to the fact that Part (D), item (5) of the Explanatory Note to heading 90.17 on page 1801 reads, in pertinent part, as follows :**

**French version :**

**"5) Les mètres (gradués ou non), .....".**

**English version :**

**"(5) Measuring rods (plain or divided, straight or folding) ...."**

The **Australian** Administration proposes inserting the adjective "graduated" in the English text of this item. However, the Secretariat feels that this would contradict the present wording, namely "plain or divided", in the description of the measuring rods. The **Australian** proposal has therefore been placed in square brackets pending a decision by the Sub-Committee.

**Heading 90.18**

25. Diagnostic or laboratory reagents were added at new (b) at the third paragraph of the Explanatory Note, as although they may be considered an appliance used in medical science, they are mentioned in the terms of heading 38.22.
26. Also in the third paragraph, new (l) was added as these articles are identified as instruments designed to calculate measurements relating to various aspects of the human body. They are not considered to be instruments used in medical sciences, rather they are mathematical calculating instruments classified in heading 90.17 by application of GIR 1. The reference source was an **Australian** classification ruling.
27. The amendment to part (I) (A) (1) was made based on Classification Opinion 9018.32/1.
28. The amendments at (I) (A), new items (14) and (17) were included as these are examples of traded instruments which are clearly identified as being for use in medical or surgical sciences and are classified in this heading by GIR 1. The reference sources were **Australian** classification rulings.
29. The amendment at (I) (C) (3) was made as these are specialised meters that utilise light and the corneal reflection coincidence to measure the distance between a patient's pupils. They are an ophthalmic appliance, classified in heading 90.18 by application of GIR 1. The reference source was an **Australian** classification ruling.
30. The amendments at (I) (O) were made after consulting the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000.
31. New item (Q) was added as hyperbaric chambers are considered to be more than oxygen therapy apparatus of heading 90.19 as the presence of elevated atmospheric pressure levels significantly contributes to the treatment administered. Classification is by GIR 1. The reference source was an **Australian** classification ruling.
32. New item (R) was added based on the exclusions from heading 94.05 in the Explanatory Note to that heading.
33. The amendments at (II) (3), (5), (7), (8) and the paragraph that follows were all made on the advice of industry, with the exception of "dental trimmers..." which are another example of tools or instruments used in prosthetic dentistry and classified in heading 90.18 by application of GIR 1. The reference source was an **Australian** classification ruling.
34. New subparagraph (iv) of the following paragraph was also made on the advice of industry.

35. New part (IV) "SCINTIGRAPHIC APPARATUS" was added to align the Explanatory Note with the terms of the heading. It was taken from former (IV) (xi) with the addition of a brief definition obtained from The New Oxford Dictionary of English, 1998.
36. Present part (IV) (renumbered (V)) "ELECTRO-MEDICAL APPARATUS" : The order of subparagraphs (i), (ii) (iii) etc. under (1) "Electro-diagnostic apparatus..." has been rearranged to align with the subheading hierarchy.
37. New item (6) was added as an example of commonly traded articles that are clearly electro-medical apparatus, classified in this heading by application of GIR 1. Reference sources were an **Australian** classification ruling and Blakiston's Gould Medical Dictionary, Third Edition, McGraw-Hill Book Company.

### Heading 90.19

38. The second paragraph of part (II) was expanded to provide greater clarification. It was based on Classification Opinion 9019.10/1. **It is, however, questionable whether components of hydromassage apparatus presented separately, are excluded from this heading, as suggested in the proposed new last sentence. The classification of parts and accessories of the articles of Chapter 90 is laid down in Note 2 to that Chapter and on the basis of that Note, baths suitable for use solely or principally with hydromassage apparatus, may be classifiable in heading 90.19.**
39. New item (V) (D) was added as these masks are considered to fall within the terms of the heading. They are apparatus for artificial respiration as they facilitate protected resuscitation by another person. They are not breathing appliances of heading 90.20, as they do not assist a patient to breathe himself or herself. Classification is by application of GIR 1. The reference source was an **Australian** classification ruling.
40. A new last sentence before (VI) was added. Refer to comments for heading 90.18 vis-à-vis new item (Q), in paragraph 28 above.
41. The new last sentence of the second paragraph of part (VI) was added to provide another example of articles that would be classified in the heading. It was based on Classification Opinion 9019.20/1.

### Heading 90.20

42. Respiration masks have been excluded at new (d). See comments for heading 90.19, in paragraph 36 above.

## III. CONCLUSION

43. The Sub-Committee is invited to examine the draft amendments to the Explanatory Notes to headings 90.11 to 90.20, as set out in the Annexes to this document, while take into account the comments made by delegates at its last session, as reproduced in Annex III.

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AMENDMENTS TO THE EXPLANATORY NOTES  
TO BE MADE BY CORRIGENDUM

CHAPTER 90.

Page 1789. Heading 90.11. Last paragraph. New item (4).

Insert the following new item (4) :

“(4) **Surgical microscopes** for use by surgeons when operating on a very small portion of the body. Their light sources result in independent light paths which provide a three-dimensional image.”

Page 1790. Heading 90.11. Exclusion paragraph. Exclusion (d).

Delete and substitute :

“(d) Microtomes; refractometers (**heading 90.27**).”

Page 1792. Heading 90.13. First paragraph. Item (2). Third paragraph.

Delete “examinations” and substitute “examinations, for example, laser pointers”.

Page 1793. Heading 90.13. First paragraph.

1. Item (3).

Delete “thread counters” and substitute “thread counters (these magnifiers may be fitted or combined with an illuminating lamp, they remain in this heading if the lamp enhances the use of the magnifier)”.

2. New item (7).

Insert the following new item (7) :

“(7) Fibrescopes for industrial use. Fibrescopes for medical purposes (endoscopes) are **excluded (heading 90.18)**.”

Renumber present items (7) to (12) as (8) to (13), respectively.

Page 1795. Heading 90.14. Exclusion paragraph. Exclusion (a).

Delete “aid apparatus” and substitute “aid apparatus, e.g., Global Positioning System (GPS) receivers,”.

Page 1796. Heading 90.15.

1. Part (I). Second paragraph. Item (1).

Delete “(**tacheometers**)” and substitute “(**tacheometers**), total stations”.

2. Part (I). Second paragraph. Item (4).

Delete “(self-reading, telescopic, folding, etc.)” and substitute “(self-reading, telescopic, folding, etc.), electromagnetic distance measuring equipment (EDM) reflector prisms and poles”.

3. Part (I). Exclusion paragraph. New exclusions (a) and (c).

Insert the following new exclusions (a) and (c) :

“(a) Global Positioning System (GPS) receivers (**heading 85.26**).”

“(c) Revolution counters, mileometers and the like (**heading 90.29**).”

Renumber present exclusions (a) and (b) as (b) and (d), respectively.

4. Part (II). First paragraph. Last sentence.

Delete and substitute :

“The maps, etc., are plotted from photographs or digital images taken from two different viewpoints a known distance apart, which must then be "restituted" (to obtain accurate information in respect of the shape, size and co-ordinates of objects in the image or photograph).”

Page 1797. Heading 90.15. Part (II). First paragraph.

1. Item (2). Last sentence.

Delete “a map” and substitute “a map or plan”.

2. Item (4). Last sentence.

Delete and substitute :

“These systems are used for visual or analytical interpretation of photographic or digital images.”

Page 1798. Part (VI). Second paragraph. New items (3) to (5).

Insert the following new items (3) to (5) :

“(3) **Electronic magnetic gradiometers** (also known as “proton magnetometers”) which measure the gradient of the earth’s magnetic field.

(4) **Circumferential acoustic scanning tools** which create a “picture” of a borehole by measuring the acoustic travel time of an ultrasonic signal emitted from a rotating transducer in the head of the tool.

(5) **Apparatus for measuring the inclination of a borehole.**”

Page 1799. Heading 90.16. First paragraph. Last sentence.

Delete and substitute :

“Besides the sensitivity criterion required by the terms of the heading, generally speaking balances are distinguished from other weighing machinery or apparatus because they are used for the precise measurement of small weights or masses. Many balances, particularly those of the electronic type, do not utilise weights, however weights presented with such balances fall in this heading, but weights presented separately, even if made of precious metal, are **excluded (heading 84.23).**”

Page 1801. Heading 90.17.

1. Part (B). First paragraph. New exclusion paragraph.

Insert the following new exclusion paragraph after item (4) :

“The following are **excluded** : machines for line marking roads, parking lots, sports fields, etc., by spraying liquid or powder (**heading 84.24**); engraving tools for working in the hand with self-contained motor (**heading 84.67**).”

2. Part (D). First paragraph.

Delete and substitute :

“These instruments are capable of indicating the length, i.e., linear dimensions, of the object to be measured, for example a line drawn or imaginary (straight or curved) on the object. The instruments are therefore capable of measuring dimensions such as diameters, depths, thicknesses and heights which are indicated as a unit of length (e.g., millimetres). These instruments must also have characteristics (size, weight, etc.) which enable them to be held in the hand to carry out the measurement.”

3. Part (D). Third paragraph. Item (1). First sentence.

Delete and substitute :

“**Micrometers**; instruments having a micrometric head, either of the screw- or screwless-type (the screwless-type incorporate a slide action and are usually electronic).”

4. Part (D). Third paragraph. Item (3). Exclusion paragraph.

Delete “forms, etc.” and substitute “forms, etc. (for example, plug gauges, ring gauges)”.

5. Part (D). Third paragraph. New item (5).

Insert the following new item (5) :

“(5) **Extensometers**, used to measure the strain or torque applied to bolts. These instruments measure the change in length of the bolt and indicate that change as a unit of length.”

6. Part (D). Third paragraph. Present item (5).

[Delete “**Measuring rods**” and substitute “**Graduated measuring rods**”.]

Renumber present items (5) to (7) as (6) to (8), respectively.

Page 1803. Heading 90.18.

1. Exclusion paragraph. Exclusions (b) to (p).

Insert the following new exclusions (b) and (l) :

“(b) Diagnostic or laboratory reagents of **heading 38.22.**”

“(l) Disc calculators used for calculating lung function, body mass index, etc., of **heading 90.17.**”

Reletter present exclusions (b) to (ij) and (k) to (p) as (c) to (k) and (m) to (r), respectively.

2. Part (l). First paragraph. Item (A) (1). New last sentence.

Insert the following new last sentence :

“The heading also covers blanks for surgical needles.”

Page 1804. Heading 90.18. Part (l).

1. New item (A) (14).

Insert the following new item (A) (14) :

“(14) **Wire guides** used for the placement of catheters, needles, tissue dilators, endoscopes and atherectomy devices.”

Renumber present items (14) and (15) as (15) and (16), respectively.

2. New item (A) (17).

Insert the following new item (A) (17) :

“(17) **Surgical staplers** for inserting staples to close a wound.”

3. Item (C) (3). First sentence.

Delete “keratoscopes” and substitute “keratoscopes, eye measurement meters designed to measure the distance between the pupils”.

Page 1805. Heading 90.18.

1. Part (I). Item (O).

Delete and substitute :

“(O) **Endoscopes** : gastroscopes, thorascopes, peritoneoscopes, bronchoscopic telescopes, cystoscopes, urethrosopes, resectoscopes, cardioscopes, colonoscopes, nephrosopes, laryngoscopes, etc. Many of these have an operating channel large enough to perform surgery via remotely controlled instruments. However, endoscopes for non-medical purposes (fibrescopes) are **excluded (heading 90.13).**”

2. Part (I). New items (Q) and (R).

Insert the following new items (Q) and (R) :

“(Q) **Hyperbaric chambers** (also known as decompression chambers) which are specially equipped pressure vessels to administer oxygen at elevated atmospheric pressure levels. They are used for the treatment of conditions such as decompression sickness, air embolism, gas gangrene, carbon monoxide poisoning, refractory osteomyelitis, skin grafts and flaps, actinomycosis and exceptional blood loss anaemia.

(R) **Lamps** which are specially designed for diagnostic, probing, irradiation, etc. purposes. Torches, such as those in the shape of a pen are **excluded (heading 85.13)** as are other lamps which are not clearly identifiable as being for medical or surgical use (**heading 94.05**).”

3. Part (II). First paragraph. Item (3).

Delete and substitute :

“(3) **Instruments for endodontic treatment** (broaches, reamers, files, pluggers, spreaders, etc.).”

4. Part (II). First paragraph. Item (5).

Delete and substitute :

“(5) **Hand instruments for cleaning teeth**, removing calculus, curetting sockets, cutting enamel and dentine, etc.”

Page 1806. Heading 90.18. Part (II).

1. First paragraph. Item (7).

Delete “stoppers” and substitute “pluggers”.

2. First paragraph. Item (8).

Delete “engine” and substitute “engine or handpiece”.

3. Second paragraph. First sentence.

Delete “dental mechanic” and substitute “dental technician”.

4. Second paragraph. New second sentence.

Insert the following new second sentence :

“The heading also covers dental casting machines, dental milling machines, and dental trimmers for trimming models of dentures.”

5. Third paragraph. New items (iv) and (v).

Insert the following new items (iv) and (v) :

“(iv) **Polymerisation devices** (light or heat), amalgamators, ultrasonic scalers, electrosurgery equipment, etc.

(v) **Devices for dental treatment** which operate by the use of lasers.”

Reletter present item (iv) as (vi).

Page 1807. Heading 90.18. New part (IV).

Insert the following new part (IV) :

“(IV) **SCINTIGRAPHIC APPARATUS**

These are apparatus which scan parts of the body and create images of an organ or a record of its functioning. It includes apparatus incorporating a scintillation counter the data from which is converted into analogue signals for the purpose of making medical diagnoses (e.g., gamma camera, scintillation scanner).”

Renumber present part (IV) as (V).

Pages 1807 to 1808. Heading 90.18. Present part (IV). First paragraph. Item (1). Paragraphs (v) to (xiii).

Delete present paragraph (xi). Renumber present paragraphs (v) to (x) and (xii) to (xiii) as (vii) to (xii) and (v) to (vi), respectively, and move the text of these items accordingly.

Page 1808. Heading 90.18. Present part (IV). New item (6).

Insert the following new item (6) :

“(6) **Cardiac defibrillators** for defibrillating the heart by the application of electric current.”

Renumber present items (6) to (8) as (7) to (9), respectively.

Page 1810. Heading 90.19. Part (II). Second paragraph.

Delete and substitute :

“This group includes simple rubber rollers or similar massaging devices. It also covers hydromassage appliances for all-over or partial massage of the body, using the action of water or a blend of water and air under pressure. Examples of these appliances include spa baths, presented complete with pumps, turbines or blowers, ducts, controls and all fittings; devices for massaging the breasts, using the action of water distributed by a series of small nozzles mounted inside a form fitted over the breast, and made to revolve by a stream of water introduced through a flexible tube. Note that components of these appliances, when presented separately, are to be classified in their respective headings, for example plastic baths (**heading 39.22**).”

Page 1812. Heading 90.19.

1. Part (V). New item (D).

Insert the following new item (D) :

“(D) **Respiration masks or the like**, designed for protected mouth to mouth resuscitation. These may incorporate a safety valve or a filter which prevents the flow of contagious disease.”

2. Part (V). New last exclusion paragraph.

Insert the following new last exclusion paragraph :

“The heading **does not include** hyperbaric or decompression chambers (**heading 90.18**).”

3. Part (VI). Second paragraph. New last sentence.

Insert the following new last sentence :

“The heading includes aerosol-type hand-sprays for spraying teeth or gums which operate by compressed gas contained in a screw-on cartridge, the action of the medicinal substance used cleans the mouth and treats diseases such as periodontitis.”

Page 1813. Heading 90.20. Exclusion paragraph. New exclusion (d).

Insert the following new exclusion (d) :

“(d) Respiration masks for protection against contagious diseases during mouth to mouth resuscitation (**heading 90.19**).”

Reletter present exclusion (d) as (e).

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AMENDMENTS TO THE EXPLANATORY NOTES  
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CHAPTER 90.

Page 1789. Heading 90.11. Last paragraph. New item (4).

(4) **Surgical microscopes** for use by surgeons when operating on a very small portion of the body. Their light sources result in independent light paths which provide a three-dimensional image.

Page 1790. Heading 90.11. Exclusion paragraph. Exclusion (d).

(d) Microtomes; refractometers (heading 90.27).

Page 1792. Heading 90.13. First paragraph. Item (2). Third paragraph.

Lasers are classified in this heading not only if they are intended to be incorporated in machines or appliances but also if they can be used independently, as compact lasers or laser systems, for various purposes such as research, teaching or laboratory examinations, for example, laser pointers.

Page 1793. Heading 90.13. First paragraph.

1. Item (3).

(3) **Hand magnifying glasses and magnifiers** (e.g., pocket type or those for office use), and thread counters (these magnifiers may be fitted or combined with an illuminating lamp, they remain in this heading if the lamp enhances the use of the magnifier); binocular magnifying glasses (generally on supports) which, unlike stereoscopic microscopes of **heading 90.11**, are fitted with eyepieces but not with an objective.

2. New item (7).

(7) Fibrescopes for industrial use. Fibrescopes for medical purposes (endoscopes) are excluded (heading 90.18).

Page 1795. Heading 90.14. Exclusion paragraph. Exclusion (a).

(a) Radar apparatus, radio navigational aid apparatus, e.g., Global Positioning System (GPS) receivers, and radio remote control apparatus (heading 85.26).

Page 1796. Heading 90.15.

1. Part (I). Second paragraph. Item (1).

(1) Optical or opto-electronic **theodolites** (vernier reading, microscope, suspended (wall-stand type), universal, mining, etc., types), optical or opto-electronic **tachymeters (tacheometers)**, total stations (theodolites incorporating a rangefinder), **transits, gyrotheodolites, compass-clinometers, sighting clinometers** for use in

survey or artillery, etc.

2. Part (I). Second paragraph. Item (4).

(4) **Plane tables, land chains and other special measures for surveying** (including band-measures specialised thereto, winch-type measures for mine-shafts, etc.), pickets or ranging poles, whether or not graduated (of metal, wood, etc.), levelling staves (self-reading, telescopic, folding, etc.), electromagnetic distance measuring equipment (EDM) reflector prisms and poles.

3. Part (I). Exclusion paragraph. New exclusions (a) and (c).

(a) Global Positioning System (GPS) receivers (heading 85.26).

(c) Revolution counters, mileometers and the like (heading 90.29).

4. Part (II). First paragraph. Last sentence.

The maps, etc., are plotted from photographs or digital images taken from two different viewpoints with a known distance apart bearings, which must then be "restituted" (to obtain accurate information in respect of the shape, size and co-ordinates of ~~the~~ objects in the image or photographed).

Page 1797. Heading 90.15. Part (II). First paragraph.

1. Item (2). Last sentence.

These are complex apparatus used to plot the planigraphic details and contour lines constituting a map or plan, this operation generally being done continuously and without separate calculation.

2. Item (4). Last sentence.

These systems are used for visual or analytical interpretation of ~~aerial photographs~~ photographic or digital images.

Page 1798. Part (VI). Second paragraph. New items (3) to (5).

(3) **Electronic magnetic gradiometers** (also known as "proton magnetometers") which measure the gradient of the earth's magnetic field.

(4) **Circumferential acoustic scanning tools** which create a "picture" of a borehole by measuring the acoustic travel time of an ultrasonic signal emitted from a rotating transducer in the head of the tool.

(5) **Apparatus for measuring the inclination of a borehole.**

Page 1799. Heading 90.16. First paragraph.

This heading covers balances of all types, **provided their sensitivity is 5 cg or better**. Besides the sensitivity criterion required by the terms of the heading, generally speaking balances are distinguished from other weighing machinery or apparatus because they are used for the precise measurement of small weights or masses. Many balances, particularly those of the electronic type, do not utilise weights, however Wweights presented with such balances fall in this heading, but weights presented separately, even if made of precious metal, are excluded (heading 84.23).

Page 1801. Heading 90.17.

1. Part (B). First paragraph. New exclusion paragraph.

The following are **excluded** : machines for line marking roads, parking lots, sports fields, etc., by spraying liquid or powder (**heading 84.24**); engraving tools for working in the hand with self-contained motor (**heading 84.67**).

2. Part (D). First paragraph.

These instruments are capable of indicating the length, i.e., linear dimensions, of the object to be measured, for example of a line drawn or imaginary (straight or curved) on an the object. The instruments are therefore capable of measuring dimensions such as diameters, depths, thicknesses and heights which are indicated as a unit of length (e.g., millimetres). These instruments and must also have characteristics (size, weight, etc.) which enable them to be held in the hand to carry out the measurement.

3. Part (D). Third paragraph. Item (1). First sentence.

**Micrometers**; instruments having a micrometric head (either of the screw- or screwless-type) (the screwless-type incorporate a slide action and are usually electronic).

4. Part (D). Third paragraph. Item (3). Exclusion paragraph.

Gauges without adjustable devices, used only for sizing parts or checking angles, forms, etc. (for example, plug gauges, ring gauges), are **excluded (heading 90.31)**.

5. Part (D). Third paragraph. New item (5).

(5) **Extensometers**, used to measure the strain or torque applied to bolts. These instruments measure the change in length of the bolt and indicate that change as a unit of length.

6. Part (D). Third paragraph. Present item (5).

~~(65)~~ **Graduated M measuring rods** (plain or divided, straight or folding) and **measuring tapes** (e.g., spring rules, riband-rules, drum wound bands), including standard rods, measuring sticks and the like.]

The heading **excludes** measuring devices specially designed for surveying (land chains, levelling staves, ranging poles, etc.) and winch-type measures for mine shafts (**heading 90.15**).

Page 1803. Heading 90.18.

1. Exclusion paragraph. New exclusions (b) and (l).

(b) Diagnostic or laboratory reagents of heading 38.22.

(l) Disc calculators used for calculating lung function, body mass index, etc., of heading 90.17.

2. Part (l). First paragraph. Item (A) (1).

(1) **Needles** (for sutures, ligatures, vaccination, blood tests, hypodermic needles, etc.).  
The heading also covers blanks for surgical needles.

Page 1804. Heading 90.18. Part (l).

1. New items (A) (14) and (A) (17).

(14) **Wire guides** used for the placement of catheters, needles, tissue dilators,  
endoscopes and atherectomy devices.

(17) **Surgical staplers** for inserting staples to close a wound.

2. Item (C) (3). First sentence.

**Orthoptic or sight-testing apparatus** including amblyoscopes, retinoscopes, skiascopes, strabometers, keratometers, keratoscopes, eye measurement meters designed to measure the distance between the pupils, trial-cases (of lenses) and trial-frames (for carrying the trial lenses), optometric scales, test charts.

Page 1805. Heading 90.18.

1. Part (l). Item (O).

(O) **Endoscopes** : gastroscopes, thorascopes, peritoneoscopes, bronchoscopic telescopes, cystoscopes, urethoscopes, resectoscopes, cardioscopes, colonoscopes, nephroscopes, laryngoscopes, etc. Many of these have an operating channel large enough to perform surgery via remotely controlled instruments. However, endoscopes for non-medical purposes (fibrescopes) are **excluded (heading 90.13)**.

2. Part (l). New items (Q) and (R).

(Q) **Hyperbaric chambers** (also known as decompression chambers) which are specially equipped pressure vessels to administer oxygen at elevated atmospheric pressure levels. They are used for the treatment of conditions such as decompression sickness, air embolism, gas gangrene, carbon monoxide poisoning, refractory osteomyelitis, skin grafts and flaps, actinomycosis and exceptional blood loss anaemia.

(R) **Lamps** which are specially designed for diagnostic, probing, irradiation, etc. purposes. Torches, such as those in the shape of a pen are excluded

(heading 85.13) as are other lamps which are not clearly identifiable as being for medical or surgical use (heading 94.05).

3. Part (II). First paragraph. Item (3).

- (3) **Instruments for nerve treatment endodontic treatment** (nerve-broaches, reamers, files, pluggers, spreaders and other extractors, nerve hooks, nerve needles, nerve seekers, etc.).

4. Part (II). First paragraph. Item (5).

- (5) **Hand instruments for cleaning teeth, removing calculus, curetting sockets, cutting enamel and dentine, etc. ~~Special instruments for cleaning gums and sockets; scalars for treating dental tartar; scrapers and enamel chisels.~~**

Page 1806. Heading 90.18. Part (II).

1. First paragraph. Item (7).

- (7) **Gold-filling instruments** (~~stoppers~~ pluggers, mallets, etc.); **filling instruments** (cement or resin spatulae, amalgam stoppers and mallets, amalgam-carriers, etc.); **impression compound trays**.

2. First paragraph. Item (8).

- (8) **Dental burrs, discs, drills and brushes**, specially designed for use with a dental drill engine or handpiece.

3. Second paragraph.

The heading also covers tools and instruments of a kind used in prosthetic dentistry either by the practitioner himself or by a dental technician mechanic, for example : knives; spatulae and other modelling tools; miscellaneous pliers and tweezers (for fixing clamps and crowns, cutting pivots, etc.); saws; shears; mallets; files; chisels; scrapers; burnishers; metal formers, for the manufacture, by beating of metal dental crowns. The heading also covers dental casting machines, dental milling machines, and dental trimmers for trimming models of dentures. The heading **does not**, however, **include** tools or other articles of general use (furnaces, moulds, soldering tools, melting ladles, etc.); these are classified in their respective headings.

4. Third paragraph. New items (iv) to (v).

- (iv) **Polymerisation devices** (light or heat), amalgamators, ultrasonic scalars, electrosurgery equipment, etc.

- (v) **Devices for dental treatment** which operate by the use of lasers.

Page 1807. Heading 90.18. New part (IV).

**(IV) SCINTIGRAPHIC APPARATUS**

These are apparatus which scan parts of the body and create images of an organ or a record of its functioning. It includes apparatus incorporating a scintillation counter the data from which is converted into analogue signals for the purpose of making medical diagnoses (e.g., gamma camera, scintillation scanner).

Pages 1807 to 1808. Heading 90.18. Present part (IV). Item (1). Paragraphs (v) to (xiii).

- (~~v~~xii) **Ultrasonic diagnostic equipment** used for the representation of organs, e.g., on a display tube, by means of ultrasonic waves.
- (~~vi~~xiii) **Nuclear Magnetic Resonance (NMR)** apparatus used to represent the characteristics of tissues and organs inside the human body, using the magnetic properties of body atoms, such as hydrogen atoms.
- (~~vii~~iv) **Electroencephalographs** (for examination of the brain).
- (~~viii~~vi) **Electrosphygmographs** (for registering arterial pressure and volume).
- (~~ix~~vii) **Electrotonographs** (for registering variations in arterial, intravenous or intracardial pressure).
- (~~x~~viii) **Electroretinographs** (for measuring strain in the retina).
- (~~xii~~x) **Audiometers and similar apparatus** (for hearing tests based on frequency variations).
- (~~xiii~~x) **Diagnostic apparatus incorporating or operating in conjunction with an automatic data processing machine** for processing and visualising clinical data, etc.
- (~~xi~~) ~~**Apparatus incorporating a scintillation counter** whose data are converted into analogue signals for the purpose of making medical diagnoses (e.g., gamma camera, scintillation scanner).~~

Page 1808. Heading 90.18. Present part (IV). New item (6).

(6) **Cardiac defibrillators** for defibrillating the heart by the application of electric current.

Page 1810. Heading 90.19. Part (II). Second paragraph.

This group includes simple rubber rollers or similar massaging devices. It also covers hydromassage appliances for all-over or partial massage of the body, using the action of water or a blend of water and air under pressure. Examples of these appliances include spa baths, presented complete with pumps, turbines or blowers, ducts, controls and all fittings; devices for massaging the breasts, using the action of water distributed by a series of small nozzles mounted inside a form fitted over the breast, and made to revolve by a stream of water introduced through a flexible tube. Note that components of these appliances, when

presented separately, are to be classified in their respective headings, for example plastic baths (heading 39.22).

Page 1812. Heading 90.19.

1. Part (V). New item (D).

(D) **Respiration masks or the like**, designed for protected mouth to mouth resuscitation. These may incorporate a safety valve or a filter which prevents the flow of contagious disease.

2. Part (V). New last exclusion paragraph.

The heading **does not include** hyperbaric or decompression chambers (heading 90.18).

3. Part (VI). Second paragraph.

Some of these appliances are of the individual type (nebulisers) designed for connecting to cylinders of oxygen or compressed air, or for fitting to the oxygen tents described in Part (V) above. Others are of the aerosol generator type for doctors' consulting rooms or hospitals; these consist of a cabinet containing a motor-compressor unit, measuring instruments, the generator proper and various application devices (masks, nasal, buccal, gynaecological, etc., nozzles). The heading includes aerosol-type hand-sprays for spraying teeth or gums which operate by compressed gas contained in a screw-on cartridge, the action of the medicinal substance used cleans the mouth and treats diseases such as periodontitis.

Page 1813. Heading 90.20. Exclusion paragraph. New exclusion (d).

(d) Respiration masks for protection against contagious diseases during mouth to mouth resuscitation (heading 90.19).

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OBSERVATIONS OF THE REVIEW SUB-COMMITTEE

Heading 90.11.

Page 1789. Heading 90.11. Last paragraph. New item (4).

**EC**

- Further study to see whether this reference would not be in conflict with the Explanatory Note to heading 90.18, Part (C), Item (2), on page 1804.

**US**

- The term “compound” could be added before “microscopes”.

Heading 90.13.

Page 1793. Heading 90.13. First paragraph. Item (3).

**Canada**

- The word “only” should be inserted between “lamp” and “enhances”.

Heading 90.15.

Page 1796. Heading 90.15. Part (I). Second paragraph. Item (1).

**EC**

- The term “total stations” should be clarified.

Heading 90.17.

Page 1801. Heading 90.17. Part (D). Third paragraph. New item (5).

**EC**

- Extensometers referred to in this item, which are used to measure the strain or torque applied to bolts might be classifiable in heading 90.24. Need more information about the commodity.

Heading 90.18.

Page 1805. Heading 90.18. Part (I). First paragraph. New item (Q).

**Canada**

- Still studying this proposal.

Page 1805. Heading 90.18. Part (II). First paragraph. Item (3).

**Canada**

- The term “endodontic” might widen the scope; needs further study.

Page 1805. Heading 90.18. Part (II). First paragraph. Item (5).

**EC**

- It should be stated that these instruments are of a kind used in dental surgeries.

Page 1806. Heading 90.18. Part (II). Second paragraph.

**Canada**

- Need more information on “dental trimmers”.

Page 1807. Heading 90.18. New part (IV).

**EC**

- This new part needs further study.

Heading 90.19.

Page 1810. Heading 90.19. Part (II). Second paragraph.

**Switzerland**

- Last (new) sentence should be deleted. Agree with Secretariat that it might not be correct to exclude them.

Page 1812. Heading 90.19. Part (V). New item (D).

**EC**

- Need more information about the nature of these commodities.

Heading 90.20.

Page 1813. Heading 90.20. Second paragraph (exclusions). New exclusion (d).

**EC**

- Need clarification in connection with heading 90.19, since heading 90.20 does not exclude respiration masks for protection against diseases.

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